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# ***Public Utilities Commission of the State of California***

## ***Public Agenda 3293***

***Thursday, May 10, 2012 9:00 a.m.***

***2600 Fresno Street, Room 2097, Fresno, California***

### **Commissioners**

**Michael R. Peevey, President**

**Mark J. Ferron**

**Michel Peter Florio**

**Catherine J.K. Sandoval**

**Timothy Alan Simon**

*For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.*

*Website: <http://www.cpuc.ca.gov>*

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### **Scheduled Commission Meetings 505 Van Ness Avenue, San Francisco**

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <b><i>Closed to the Public</i></b>	<i>Commission Meeting</i> Auditorium (9:00 a.m.) <b><i>Open to the Public</i></b>
Monday, May 21, 2012 (San Francisco)	Thursday, May 10, 2012 (Fresno)
Monday, June 04, 2012 (San Francisco)	Thursday, May 24, 2012 (San Francisco)
Monday, June 18, 2012 (San Francisco)	Thursday, June 07, 2012 (San Francisco)
Monday, July 09, 2012 (San Francisco)	Thursday, June 21, 2012 (San Francisco)
Monday, July 30, 2012 (San Francisco)	Thursday, July 12, 2012 (San Francisco)

*\*Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

### ***Matters of Public Interest***

***For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.***

For further information contact the Public Advisor  
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**PUBLIC COMMENT**

**The following items are not subject to public comment:**

- All items on the closed session agenda.
- 7, 15, 21, 25, 34

**Public Comment:**

**Consent Agenda**

*Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.*

**Consent Agenda - Orders and Resolutions**

<b>Item</b>	<b>Preliminary Categorizations and Hearing Determinations for</b>
<b>1</b>	<b>Recently Filed Formal Applications</b>

[11259]

**Res ALJ 176-3293**

**PROPOSED OUTCOME:**

® Ratification of preliminary determination of category for proceedings initiated by application. The Preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580601](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580601)

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Consent Agenda - Orders and Resolutions (continued)**Item                    Modification of Decision 11-09-040****2**

[11054]

**A10-02-006**

In the matter of the application of Alco Water Service (Alco), a California Corporation, for an order 1) authorizing it to increase rates for water service by \$3,709,633 or 62.6% in test year 2010; 2) authorizing it to increase rates on July 1, 2011 by \$1,752,844 or 18.2% and July 1, 2012 by \$1,016,639 or 8.9% in accordance with Decision 08-11-035, and 3) adopting other related rulings and relief necessary to implement the Commission's ratemaking policies.

**PROPOSED OUTCOME:**

® Apply the existing Affiliate Transaction Rules for water utilities to the Adcock family transactions with the utility. This eliminates prior decision's requirement for a Tier 3 Advice Letter approval of every transaction.

**ESTIMATED COST:**

® No change to current rates or services.

(Comr Peevey - ALJ Long)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581015](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581015)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3290, Item 19 3/8/2012 (Staff);

Agenda 3291, Item 6 3/22/2012 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item                      San Diego Gas & Electric Company's Twenty One**  
**3                              Renewable Energy Power Purchase Agreements**  
**(Rev.)**  
[11153]

**Res E-4466**, Advice Letter 2268-E filed on July 6, 2011 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves cost recovery for twenty-one (21) long-term renewable energy power purchase agreements (PPA) between San Diego Gas & Electric Company and Sol Orchard San Diego I LLC through Sol Orchard San Diego 4 LLC, Sol Orchard San Diego 6 LLC through Sol Orchard San Diego 10 LLC and Sol Orchard San Diego 12 LLC through Sol Orchard San Diego 23 LLC.
- ® Approves the PPAs with modifications to cap at \$13.5 million the costs that ratepayers reimburse to the seller for distribution and transmission upgrades (network and reliability).

**ESTIMATED COST:**

- ® Costs of the PPAs are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580114](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580114)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Agenda 3292, Item 14 4/19/2012 (Florio)

05/02/2012 - This revision was not shown on the Agenda mailed to the public.

## Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Gas Company's Permit to Attach**  
**4**                        **Advanced Metering Data Collection Units to Southern**  
[11158]                **California Edison Company Owned Streetlights**

**Res ESRB-1**

**PROPOSED OUTCOME:**

® Grants Southern California Edison Company's (SCE) request to permit Southern California Gas Company to permanently attach advanced metering project data collection units to SCE owned streetlights in accordance with General Order 95, Rule 34.

**ESTIMATED COST:**

® Not within the scope of this resolution.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581233](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581233)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Consent Agenda - Orders and Resolutions (continued)

**Item**                      **Southern California Edison Company's \$64 Million to**  
**5**                              **Recover Seismic Costs Regarding the San Onofre Nuclear**  
[11163]                      **Generating Station**

**A11-04-006**, A11-05-011 - Related matters.

Application of Southern California Edison Company to Recover O&M Costs Associated with the San Onofre Nuclear Generating Station Units Nos. 2 and 3 Ongoing Seismic Program, and New Seismic Research Projects and Analyses.

**PROPOSED OUTCOME:**

- ® Southern California Edison Company may recover \$64 million in costs to perform seismic studies at the San Onofre Nuclear Generating Station.
- ® San Diego Gas & Electric Company may recover its 20% share of those costs.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$64 million.

(Comr Florio - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581143](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581143)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*This matter may be considered during the Ratesetting Deliberative Meeting.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3292, Item 22 4/19/2012 (Florio)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                      **Establishment of a new Vegetation Management**  
**6**                           **Memorandum Account to Record its Vegetation**  
[11184]                   **Management Expenses**

**Res E-4464**, Advice Letter 11-E-A filed on November 1, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Grants CalPeco the authority to establish the Vegetation Management Memorandum Account to book costs.

**ESTIMATED COST:**

® No cost recovery is authorized in this resolution.

® The authorization is only to create a memorandum account to book costs to seek recovery at a later date.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581019](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581019)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Agenda 3292, Item 32 4/19/2012 (Staff)

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Consent Agenda - Orders and Resolutions (continued)**Item                    Dismissal of Case 11-02-009**  
**7**

[11188]

**C11-02-009**

Leatherbury &amp; Lowell Family Trusts vs. San Diego Gas &amp; Electric Company.

**PROPOSED OUTCOME:**

® Dismisses complaint of Leatherbury & Lowell Family Trusts vs. San Diego Gas & Electric Company for failure to state a claim on which relief may be granted.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Bemmesderfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=579877](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=579877)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.*

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Agenda 3292, Item 34 4/19/2012 (Staff)



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Consent Agenda - Orders and Resolutions (continued)**Item Dismissal of Application 11-03-028****8**

[11190]

**A11-03-028**

Application of Network Communications International Corp. aka 1800Call4Less for a Certificate of Public Convenience and Necessity to Operate as a Provider of Resold Interexchange Service within the State of California.

**PROPOSED OUTCOME:**

® Dismisses the opposed application of Network International Communications Corp. (Applicant) for a Certificate of Public Convenience and Necessity authorizing the company to provide resold and interexchange services in this state, as requested by Applicant.

® Based on Applicant's alleged violation of Commission Rule 1.1 by failing to disclose past regulatory problems and consumer complaints in the application, we require Applicant, its officers, directors, and owners of more than 10 percent of shares, to disclose this decision, the general nature of the protest filed in this proceeding by the Commission Division of Consumer Protection and Safety Division (CPSD), and the fact that Applicant withdrew this application after CPSD filed its protest, in any future application to the Commission for authority to provide telecommunications services in California.

® Declines to impose sanctions against Applicant based on Applicant's violation of Rule 12.6 by disclosing substantive issues discussed in settlement discussions in an e-mail to the assigned Administrative Law Judge. However, we caution Applicant that future violations of the Rules will be grounds for possible sanctions.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Sandoval - ALJ Prestidge)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=579465](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=579465)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Citation F-5187 Issued on November 23, 2011 to Benito  
9                        Vasquez, Individually and DBA El Camino Transportation**

[11201]

**Res ALJ-278**

**PROPOSED OUTCOME:**

® Affirms Citation F-5187 in full.

**ESTIMATED COST:**

® None.

® \$7,000 payment to the General Fund.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581086](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581086)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Consent Agenda - Orders and Resolutions (continued)**Item                    Cox California Telecom, LLC's Transfer of Control to Cox  
10                    Communications California, LLC**

[11207]

**A11-09-009**

Joint Application of Cox California Telcom, LLC and Cox Communications California, LLC for Transfer of Control of Cox California Telcom, LLC from CoxCom, LLC to Cox Communications California, LLC Through An Internal Corporate Reorganization.

**PROPOSED OUTCOME:**

- ® Cox Communications California, LLC will become parent of Cox California Telcom, LLC.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Ferron - ALJ Colbert)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580591](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580591)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item SFPP, L.P.'s Test Year 2009 Rate Base****11**

[11208]

**A09-05-014**, A08-06-008, A08-06-009 - Related matters.

Application of SFPP, L.P. for authority, pursuant to Public Utilities Code Section 455.3, to increase its rates for pipeline transportation services within California.

**PROPOSED OUTCOME:**

- ® Sets capital structure, rate base, cost of service, and orders refunds.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Bemenderfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E58140](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E58140)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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## Consent Agenda - Orders and Resolutions (continued)

**Item                      Yermo Water Company's Order Rescinding Resolution**  
**12                        W-4864**

[11215]

**Res W-4914****PROPOSED OUTCOME:**

® The California Public Utilities Commission's Legal Division shall file immediately with the Superior Court of San Bernardino County a petition for the appointment of a receiver to assume possession of and operate the water system of the Yermo Water Company.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581216](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581216)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Consent Agenda - Orders and Resolutions (continued)

**Item**                      **Settlement Agreement Regarding Allocation of the**  
**13**                           **Continental Forge Settlement Discount and the Sempra**  
[11224]                   **Long-Term Contract Refund**

**R11-03-006**

Order Instituting Rulemaking to Consider the Annual Revenue Requirement Determination of the California Department of Water Resources and related issues.

**PROPOSED OUTCOME:**

- ® Approves settlement agreement of Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric (SDG&E), which includes:
- ® Revised allocation of the Continental Forge Settlement Discount for the period from September 2010 through October 2011.
- ® Use of the Fixed Percentage Allocators to allocate the Sempra Long-Term Contract Refund and any accrued interest thereon.
- ® Adopts the California Department of Water and Power's (CDWR) proposed amortization of the dollars resolved in the Settlement Agreement, with a start date of July 2012.
- ® The Settlement Agreement does not change CDWR's authorized 2012 Revenue Requirement Determination, but instead is a redistribution of previously authorized amounts allocated among PG&E, SCE, and SDG&E.

**ESTIMATED COST:**

- ® None.

(Comr Florio - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580678](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580678)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item Dismisses Application 10-07-001 Without Prejudice****14**

[11225]

**A10-07-001**

In the Matter of the Application of The Nevada Hydro Company for a Certificate of Public Convenience and Necessity for the Talega-Escondido/Valley-Serrano 500 kV Interconnect Project.

**PROPOSED OUTCOME:**

- ® Dismisses Application 10-07-001 without prejudice.
- ® Denies Petition to Modify Decision (D) 11-07-036 and requires Nevada Hydro Company to post a performance or surety bond as required by Ordering Paragraph 2 of D11-07-036.
- ® Imposes a series of conditions before any subsequent application will be accepted for filing.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Florio - ALJ Minkin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580887](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580887)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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## Consent Agenda - Orders and Resolutions (continued)

**Item Dismissal of Complaint****15**

[11226]

**C11-10-028**

Wilner &amp; Associates vs. Pacific Gas and Electric Company.

**PROPOSED OUTCOME:**

- ® Dismisses complaint of Wilner & Associates vs. Pacific Gas and Electric Company as moot.
- ® Case 11-10-028 is closed.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Bemederfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580943](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580943)*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      Pacific Gas and Electric Company's Motion to Dismiss  
16                      Application**

[11229]

**A10-09-012**

Application of Californians for Renewable Energy, Inc. to modify Decision 06-07-027.

**PROPOSED OUTCOME:**

® Grants Pacific Gas and Electric Company's motion to dismiss because application provides no new facts.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Sullivan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581017](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581017)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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## Consent Agenda - Orders and Resolutions (continued)

**Item**                      **San Diego Gas & Electric Company to Recover \$28.029**  
**17**                        **Million for Increased Insurance Costs for Policy Year**  
[11249]                **2011-2012**

**Res E-4484**, Advice Letter 2285-E filed on September 9, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approves San Diego Gas & Electric Company's (SDG&E) request to increase revenue requirement by \$28.029 million above its 2008 General Rate Case authorized revenues to recover insurance costs it incurred in 2011 for the 2011-2012 policy year.

**ESTIMATED COST:**

® An increase of approximately \$28.029 million above the revenue requirements authorized in SDG&E's 2008 General Rate Case, amortized over 24 months, resulting in an annual increase of \$14.015 million.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580892](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580892)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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## Consent Agenda - Orders and Resolutions (continued)

**Item**                      **Extension of California Advanced Services Fund Broadband**  
**18**                        **Infrastructure Grant and Revolving Loan Program**  
[11251]                   **Application Deadlines**

**Res T-17362**

**PROPOSED OUTCOME:**

® Approves extension of the California Advance Services Fund (CASF) Broadband Infrastructure Grant and Revolving Loan Program Application Deadlines.

® The new deadline for the first application window for projects in unserved areas is October 1, 2012.

® The new deadline for the second application window for projects in underserved areas not previously funded by CASF, as well as hybrid projects covering unserved and underserved areas (not partially funded by CASF) encompassing a single contiguous group of CBGs, is February 1, 2013.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580969](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580969)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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## Consent Agenda - Orders and Resolutions (continued)

**Item                      Interim Decision Authorizing Aquifer Storage And Recovery  
19                      Project Phase 2 And Carmel River Mitigation Agreement**

[11252]

**A10-01-012**

In the Matter of the Application of California-American Water Company for an Order Authorizing the Collection and Remittance of the Monterey Peninsula Water Management District User Fee.

**PROPOSED OUTCOME:**

® Approves expedited construction of well ASR-4, and agreement for Carmel River Mitigation.

**ESTIMATED COST:**

® \$6.3 million.

(Comr Peevey - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E58146](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E58146)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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## Consent Agenda - Orders and Resolutions (continued)

**Item                      Implements the Method Adopted in Decision 11-12-018**  
**20**

[11253]

**Res E-4475**, Pacific Gas and Electric Company Advice Letter (AL) 3987-E, Southern California Edison Company AL 2688-E, and San Diego Gas & Electric Company AL 2325-E filed on January 6, 2012 - Related matters.

**PROPOSED OUTCOME:**

® Implements the method adopted in Decision 11-12-018 to account for the market value of the Renewables Portfolio Standard-compliant resources in the charges related to departing load.

**ESTIMATED COST:**

® No impact on utilities' authorized revenue requirements.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581093](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581093)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      International Institute of Bengal Basin's Request for  
21                      Electrical Services**

[11257]

**(ECP) C11-07-002**

International Institute of Bengal Basin vs. Pacific Gas and Electric Company.

**PROPOSED OUTCOME:**

® International Institute of Bengal Basin seeks to have electrical services at two buildings in the City of Berkeley (City), California.

® Pacific Gas and Electric Company (PG&E) refused service because the City says the buildings are unsafe.

® PG&E's tariff requires PG&E to refuse service when a governmental agency says the buildings are unsafe.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581052](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581052)

## Consent Agenda - Orders and Resolutions (continued)

**Item**                      **San Diego Gas & Electric Company's Renewable Energy**  
**22**                        **Power Purchase Agreement With Mesa Wind Power**  
[11263]                   **Corporation**

**Res E-4486**, Advice Letter 2309-E filed on December 2, 2011 and AL 2309-E-A filed on April 4, 2012 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves cost recovery for the short-term renewable energy power purchase agreement (PPA) between San Diego Gas & Electric Company and Mesa Wind Power Corporation.
- ® The PPA is approved without modification.

**ESTIMATED COST:**

- ® Costs of the power purchase agreement are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580978](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580978)

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Consent Agenda - Orders and Resolutions (continued)

**Item                      Ponderosa Cablevision for a Certificate of Public  
23                      Convenience and Necessity**

[11267]

**A11-10-014**

Application of Ponderosa Cablevision for a Certificate of Public Convenience and Necessity in order to Provide Limited Facilities-Based and Resold Competitive Local Exchange Services.

**PROPOSED OUTCOME:**

- ® Grants a Certificate of Public Convenience and Necessity for Ponderosa Cablevision.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ McKinney)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581215](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581215)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      Limited Exemptions From the Commission's Affiliate  
24                      Transaction Rules**

[11290]

**A11-11-019**

Joint Application of Southern California Edison Company and Pacific Gas and Electric Company for an Order Granting Limited Exemptions from the Commission's Affiliate Transaction Rules.

**PROPOSED OUTCOME:**

® Approves the application as conditional in the application, of Southern California Edison Company and Pacific Gas and Electric Company for limited exemption from the Affiliate Transaction Rules adopted in Decision 06-12-029 in order to participate as members and equity owners in the STARS Alliance.

® The synergies gained through the STARS Alliance are intended to reduce the cost to consumers of nuclear power generation, make nuclear power more competitive with other forms of electric generation for customers of STARS Alliance's members, and enhance the ability of STARS Alliance members to efficiently coordinate purchasing and location of assets necessary to ensure effective responses to potential disruption in its operations.

® Closes the proceeding.

**ESTIMATED COST:**

® Unquantified cost savings anticipated.

(Comr Florio - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=578042](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=578042)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      Order Extending Statutory Deadline****25**

[11294]

**C11-06-024**

William R. Sarale, Julie Ann Sarale, Julie Ann Sarale as Trustee of the James J. Cavalli Testamentary Trust, and Julie Ann Sarale, as Trustee of the Eva M. Cavalli 2007 Trust vs. Pacific Gas & Electric Company.

**PROPOSED OUTCOME:**

® Extends the statutory deadline for this proceeding until November 26, 2012.

**ESTIMATED COST:**

® None.

(Comr Florio - ALJ Colbert)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=578698](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=578698)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.*

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**Consent Agenda - Intervenor Compensation Orders**

**Item**                      **Compensation to Black Economic Council, the Latino**  
**26**                        **Business Chamber of Greater Los Angeles, and the National**  
[11173]                   **Asian American Coalition**

**R09-07-027**

Order Instituting Rulemaking for the Purpose of Reviewing and Potentially Amending General Order 156 and to Consider Other Measures to Promote Economic Efficiencies of an Expanded Supplier Base and to Examine the Composition of the Utilities' Workforce.

**PROPOSED OUTCOME:**

® Awards Black Economic Council, the Latino Business Chamber of Greater Los Angeles, and the National Asian American Coalition.

**ESTIMATED COST:**

® The California Public Utilities Commission's Intervenor Compensation Fund will pay \$265,201.75, plus interest.

(Comr Peevey - ALJ Darling)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E56880](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E56880)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.*

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Consent Agenda - Intervenor Compensation Orders (continued)**Item Compensation to L. Jan Reid****27**

[11254]

**R08-08-009**

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

**PROPOSED OUTCOME:**

® Awards L. Jan Reid \$17,880.89 in intervenor compensation for contributions to Decisions (D) 10-12-048 and D11-04-030.

**ESTIMATED COST:**

® Ratepayers of Southern California Edison Company, Pacific Gas and Electric Company and San Diego Gas & Electric Company will pay the awarded amount of \$17,880.89, plus interest.

(Comr Ferron - ALJ Mattson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=577812](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=577812)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Intervenor Compensation Orders (continued)**Item Compensation to The Utility Reform Network****28**

[11295]

**R08-08-009**

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network \$61,938.60 in intervenor compensation for contributions to Decisions (D) 09-06-018, D09-06-050, D09-11-014, D10-12-048, D11-01-026, and D11-04-030.

**ESTIMATED COST:**

® Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company will pay the awarded amount of \$61,938.60, plus interest.

(Comr Ferron - ALJ Mattson, ALJ Simon)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=579322](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=579322)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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**Regular Agenda****Regular Agenda - Energy Orders**

**Item**                      **Pacific Gas and Electric Company to Invest \$9.9 Million of**  
**29**                           **Ratepayer Funds in a Solar Manufacturing Development**  
[11047]                   **Facility**

**A10-11-002**

Application of Pacific Gas and Electric Company for Authority to Increase Electric Rates and Charges to Recover Costs Relating to California Solar Photovoltaic Manufacturing Development Facility.

**PROPOSED OUTCOME:**

- ® Denies the application of Pacific Gas and Electric Company to invest \$9.9 million of ratepayer funds in Silicon Valley Technology Corporation.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Bemserderfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580974](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580974)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3290, Item 36 3/8/2012 (Florio);

Agenda 3291, Item 43 3/22/2012 (Simon);

Agenda 3292, Item 59 4/19/2012 (Peevey)

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Regular Agenda - Energy Orders (continued)**Item                   ALTERNATE TO ITEM 11047****29a**

[11048]

**PROPOSED OUTCOME:**

® Approves the application.

® Finds that the Manufacturing Developing Facility (MDF) is similar to research and development programs that the California Public Utilities Commission (Commission) has financed through ratepayer surcharges in the past.

® The Alternate Proposed Decision (APD) notes that construction of the MDF is consistent with the Commission's program of encouraging utilities to increase their use of renewable resources; is supported by substantial grant funding from the United States Department of Energy; and that, as a research and development project, it is not expected to earn a return.

® The APD finds that the likelihood of reducing the cost of solar photovoltaic technology is a sufficient justification for the investment of ratepayer funds.

® Closes the proceeding.

**ESTIMATED COST:**

® Ratepayers costs of \$17.8 million.

(Comr Peevey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581111](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581111)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3290, Item 36a 3/8/2012 (Florio);

Agenda 3291, Item 43a 3/22/2012 (Simon);

Agenda 3292, Item 59a 4/19/2012 (Peevey)

## Regular Agenda - Energy Orders (continued)

**Item**                      **Guidance for Investor-Owned Utilities' on 2013-2014 Energy**  
**30**                      **Efficiency Portfolios and 2012 Marketing, Education, and**  
[11187]                      **Outreach**

**R09-11-014**

Order Instituting Rulemaking to Examine the Commission's Post-2008 Energy Efficiency Policies, Programs, Evaluation, Measurement, and Verification, and Related Issues.

**PROPOSED OUTCOME:**

- ® Gives guidance to the investor owned utilities on their 2013-2014 energy efficiency program applications.
- ® Requires the filing of separate applications for statewide marketing, education and outreach activities for demand side resources.

**ESTIMATED COST:**

- ® None.

(Comr Ferron - ALJ Farrar)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581287](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581287)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3292, Item 63 4/19/2012 (Sandoval)



## Regular Agenda - Energy Orders (continued)

**Item**                      **Amendments to Public Utilities Code Section 399.20 Enacted**  
**31**                        **by Senate Bill 380, Senate Bill 32, and Senate Bill 2 1X and**  
[11189]                   **Petitions for Modification of Decision 07-07-027**

**R11-05-005**

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

**PROPOSED OUTCOME:**

® Implements the amendments to Public Utilities Code § 399.20 enacted by Senate Bill (SB) 380 (Kehoe, Stats. 2008, ch. 544, § 1), SB 32 (Negrete McLeod, Stats. 2009, ch. 328, § 3.5), and the more recent amendments enacted by SB 2 of the 2011-2012 First Extraordinary Session (Simition, Stats. 2011, ch. 1) (SB 2 1X).

® Adopts, among other things:

® A new pricing mechanism for the Commission's § 399.20 Feed-in Tariff (FiT) Program, referred to as the "Renewable Market Adjusting Tariff" or "Re-MAT." Re MAT includes two principle components. First, a starting price based on the weighted average contract price of Pacific Gas and Electric Company, Southern California Electric Company, and San Diego Gas & Electric Company's highest priced executed contract resulting from the Commission's Renewable Auction Mechanism auction held in November 2011. This starting price will apply to three FiT product types: baseload, peaking as-available, and non-peaking as-available. Second, a monthly price adjustment mechanism that increases or decreases the starting price in each product type based on the market response. Finally, each accepted project will be paid a time-of-delivery adjustment based on the generator's actual energy delivery profile and the individual utility's time-of-delivery factors.

® Several new or revised FiT Program components, including, among other things, increasing the maximum size of eligible facilities to 3 megawatts, adjusting capacity allocations among the utilities, adopting project viability criteria, and excluding small electric utilities from the program.

® Denies two petitions for modification of Decision 07-07-027, the decision initially establishing the tariffs and standard contracts for utilities under § 399.20, filed by Sustainable Conservation and by Solutions for Utilities, Inc.

**ESTIMATED COST:**

® Unknown.

(Comr Ferron - ALJ DeAngelis)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=579876](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=579876)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3292, Item 64 4/19/2012 (Staff)

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**Regular Agenda - Energy Resolutions and Written Reports****Item                      Pacific Gas and Electric Company's Investment and  
32                      Contractual Transactions With Nine Solar Companies**

[11228]

**Res G-3461**, Pacific Gas and Electric Company (PG&E) Advice Letter (AL) 3182-G/3789-E filed on January 6, 2011, PG&E AL 3141-G-A/3708-E-A filed on December 17, 2010, and PG&E AL 3170-G-A/3763-E-A filed on December 17, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Approves, with conditions specified herein, three advice letters which notify us of the creation of new affiliates to Pacific Gas and Electric Company (PG&E), as required by the Affiliate Transaction Rules (the Rules) of the California Public Utilities Commission.

® In addition to the five affiliates identified in the advice letters, we find that two additional companies are affiliates under the Rules.

® Orders an audit of PG&E's affiliate transactions from June 30, 2009 to June 30, 2011.

® Orders PG&E to file Advice Letters implementing changes to the California Solar Initiative Program Handbook as set out herein.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=578834](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=578834)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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## Regular Agenda - Water/Sewer Orders

### Item 33 Approval to Implement the Carmel River Reroute and San Clemente Dam Removal Project

[10823]

#### A10-09-018

Application of California-American Water Company for Authorization to Implement the Carmel River reroute and San Clemente Dam Removal Project and to Recover the Costs Associated with the Project in Rates.

#### PROPOSED OUTCOME:

- ® Approves California-American Water Company's (Cal-Am) request to implement the Carmel River Reroute and San Clemente Dam Removal Project (Project) in partnership with the California State Coastal Conservancy and the National Marine Fisheries Service.
- ® Authorizes ratepayer recovery of Cal-Am's funding portion of the Project, \$49 million, to be paid through a volumetric surcharge on customers' bills over the next 20 years.
- ® Opens an adjudicatory phase of this proceeding to consider an order to show cause as to why applicant should not be fined or otherwise sanctioned for a failure to comply with Rule 1.1 of the Commission's Rules of Practice and Procedure, and Sections 2107 and 2108 of the Public Utilities Code.

#### ESTIMATED COST:

- ® \$49 million.

(Comr Peevey - ALJ Walwyn)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580235](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580235)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*This matter may be considered during the Ratesetting Deliberative Meeting.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3286, Item 54 12/15/2011 (Staff);

Agenda 3287, Item 66 1/12/2012 (Ferron);

Agenda 3288, Item 32 2/1/2012 (Ferron);

Agenda 3289, Item 41 2/16/2012 (Sandoval);

Agenda 3292, Item 70 4/19/2012 (Sandoval)

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Regular Agenda - Water/Sewer Orders (continued)**Item           ALTERNATE TO ITEM 10823****33a**

[11298]

**PROPOSED OUTCOME:**

- ® Approves California-American Water Company's (Cal-Am) request to implement the Carmel River Reroute and San Clemente Dam Removal Project (Project) in partnership with the California State Coastal Conservancy and the National Marine Fisheries Service.
- ® Authorizes ratepayer recovery of Cal-Am's historical costs accumulated in its San Clemente Dam Memorandum Account.
- ® Authorizes rate base treatment for San Clemente Dam Removal Project costs.
- ® Finds Cal-Am's pursuit of dam buttressing prudent, reasonable and appropriate to enable it to comply with the California Department of Water Resources Division of Safety and Dams seismic safety requirements while seeking to resolve the issue at least cost to its ratepayers.
- ® Authorizes ratepayer recovery of Cal-Am's funding portion of the Project through a monthly surcharge on customer's bills over the next 20 years.
- ® Finds the San Clemente Dam to be used and useful and an ongoing benefit to ratepayers.
- ® Authorizes Cal-Am to file a Tier 3 Advice Letter to request a change in its \$49 million Project cap should there be a need to change the cap.
- ® Excludes the transfer of a 77.6 acre land parcel being used for utility purposes and not part of the project from being donated to the project or designated open space.
- ® Finds no Rule 1.1 violation and no need to open an adjudicatory phase of this proceeding.
- ® Finds Planning Conservation League Foundation eligible to seek intervenor compensation.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$49 million project cost.
- ® \$27 million Historical San Clemente Dam Memorandum Account Balance.
- ® \$76 million in total cost.

(Comr Sandoval)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E59105](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E59105)*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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**Regular Agenda - Transportation/Rail Safety Orders**

**Item**                      **Consumer Protection and Safety Division's Settlement**  
**34**                        **Agreement With the San Francisco Municipal Transportation**  
[11286]                  **Agency**

**I11-02-017**

Order Instituting Investigation on the Commission's Own Motion into the Operations, Practices, and Conduct of San Francisco Municipal Transportation Agency, Regarding Ongoing Public Safety Issues.

**PROPOSED OUTCOME:**

- ® Approves uncontested, all-party Settlement Agreement that is reasonable in light of the whole record, consistent with the law, and in the public interest.
- ® Settlement Agreement increases public safety because various aspects of San Francisco Municipal Transportation Agency's system will be replaced and repaired in a timely manner.
- ® Settlement Agreement provides for more efficient and productive inter- and intra-agency communication to ensure public safety receives appropriate, high level management attention.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Total is unknown, but approximately \$6 million allocated for additional facilities maintenance improvements.

(Comr Peevey - ALJ Minkin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=579397](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=579397)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.*

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**Regular Agenda - Legal Division Matters**

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**Regular Agenda - Legislative and Other Matters****Item                      Gas Corporations: Rate of Return: Safety Performance  
35                      Standards****(Rev.)**

[11269]

**AB 1456 (Hill)**

This bill would require the California Public Utilities Commission (CPUC) to perform an analysis of benchmark data and adopt safety performance standards for pipeline safety and reliability and to evaluate a gas corporation's safety performance based on those standards. The bill would authorize the CPUC to implement a rate incentive program (Legislative Subcommittee Recommendation: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581178](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581178)

05/04/2012 - This revision was not shown on the Agenda mailed to the public.

**Item                      Electricity: Rates  
36**

[11271]

**AB 1755 (Perea)**

This bill would allow the California Public Utilities Commission (CPUC) to approve a fixed per-customer charge not based on usage for residential customers if the CPUC finds that such a charge is just and reasonable and is necessary to provide rate relief to upper tier residential customers. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item                      Renewable Energy Resources: Biomethane  
37**

[11115]

**AB 1900 (Gatto)**

This bill would require the California Public Utilities Commission (CPUC) to develop reasonable, prudent, and minimally restrictive testing protocols for gas collected from a solid waste landfill that is to be injected into a common carrier pipeline to determine if the gas contains chemicals known to the state to cause cancer or reproductive toxicity and would require a gas corporation to accept biomethane into its pipeline, provided the biomethane meets the heating and purity requirements established by the CPUC.

(Legislative Subcommittee Recommendation: Oppose unless amended).

Agenda 3291, Item 59 3/22/2012 (Staff);

Agenda 3292, Item 76 4/19/2012 (Staff)

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Regular Agenda - Legislative and Other Matters (continued)**Item                      Renewable Energy Resources: Small-Scale Renewable  
38                      Generation Program**

[11272]

**AB 1990 (Fong)**

This bill would establish a feed-in tariff program with the goal of installing 375 megawatts of electrical generation capacity from small-scale renewable generation facilities located in communities that meet specified criteria, and specifies requirements for the program. The bill would require the California Public Utilities Commission (CPUC), in consultation with other specified stakeholders, to develop program elements that are applicable to electrical corporations and achieve certain “environmental justice benefits.” The CPUC will be required to allocate procurement targets for each electrical corporation and local publicly owned electric utility in proportion to each utility's percentage share of the state's total electricity sales measured in kilowatt hours for the calendar year ending December 31, 2012. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item                      Net Energy Metering: Eligible Fuel Cell  
39                      Customer-Generators**

[11232]

**AB 2165 (Hill)**

This bill would revise the definition of an “eligible fuel-cell customer-generator” to require that the customer be physically located within the service territory of the electrical corporation and receive bundled service, distribution service, or transmission service from the electrical corporation. (Legislative Subcommittee Recommendation: Support if amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581179](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581179)

Agenda 3292, Item 77 4/19/2012 (Staff)



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Regular Agenda - Legislative and Other Matters (continued)**Item            Electricity Net Energy Metering****40**

[11235]

**AB 2234 (Hill)**

This bill would include in the definition of an "eligible customer-generator," a public agency customer meeting the existing requirements applicable to residential, small commercial, commercial, industrial, or agricultural customers, except that that generation facility have a total capacity of not more than 5 megawatts. Legislative Subcommittee Recommendation: Support with technical amendments).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=579647](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=579647)

Agenda 3292, Item 80 4/19/2012 (Sandoval)

**Item            Geothermal Heat Pumps****41**

[11237]

**AB 2339 (Williams)**

This bill would require the California Public Utilities Commission (CPUC), in consultation with the State Energy Resources Conservation and Development Commission, State Air Resources Board, electrical corporations, and the geothermal heat pump and distributed solar thermal heating and cooling industries to evaluate policies and develop sufficient infrastructure sufficient to overcome barriers to the widespread deployment and use of geothermal and solar heating and cooling technologies. The bill would also require the CPUC, by July 1, 2013, to adopt rules addressing specified issues regarding geothermal and solar heating and cooling technologies. (Legislative Subcommittee Recommendation: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=579648](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=579648)

Agenda 3292, Item 82 4/19/2012 (Simon)

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Regular Agenda - Legislative and Other Matters (continued)**Item                    Distribution Grid: Distributed Generation**  
**42**

[11118]

**AB 2340 (Williams)**

This bill would require the California Public Utilities Commission to convene a proceeding on or before July 1, 2013, to develop rules, as prescribed, for the reimbursement of distribution grid upgrade costs to developers of wholesale distribution generation facilities constructed subsequent to the completion of interconnection studies, and require those costs to be included in each electrical corporation's rate base. (Legislative Subcommittee Recommendation: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=577748](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=577748)

Agenda 3291, Item 62 3/22/2012 (Staff);

Agenda 3292, Item 83 4/19/2012 (Staff)

**Item                    Electric Program Investment Charge: Clean Vehicle Rebate**  
**43                    Project Program****(Rev.)**

[11273]

**AB 2450 (Hall)**

This bill establishes the Clean Vehicle Rebate Project Fund in the State Treasury and requires the California Public Utilities Commission to allocate not less than \$15,000,000 from the monies collected pursuant to the Electric Program Investment Charge to the fund. The bill would authorize the State Air Resources Board, upon appropriation by the Legislature, to use monies in the fund for distribution as rebates pursuant to the program criteria established pursuant to the state board's Clean Vehicle Rebate Project program. (Legislative Subcommittee Recommendation: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581187](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581187)

05/04/2012 - This revision was not shown on the Agenda mailed to the public.

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Regular Agenda - Legislative and Other Matters (continued)**Item                      Net Energy Metering****44****(Rev.)**

[11239]

**AB 2514 (Bradford)**

This bill would require the California Public Utilities Commission (CPUC) to complete a study by June 30, 2013, to determine the extent to which each class of ratepayers receiving service under the net energy metering tariff is paying the full cost of the services provided to them by electrical corporations and the extent to which those customers pay their share of the costs of public purpose programs. The bill would require the CPUC to report the results of the study to the Legislature within 30 days of its completion. (Legislative Subcommittee Recommendation: Support with Technical Amendments).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581181](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581181)

Agenda 3292, Item 85 4/19/2012 (Staff)

05/08/2012 - This revision was not shown on the Agenda mailed to the public.

**Item                      Electrical Lines: Trimming of Trees****45**

[11274]

**AB 2556 (Allen)**

This bill would require each electrical corporation and local publicly-owned electric utility to avoid excessive tree trimming that threatens the health of a tree, to make a good faith effort to implement good forestry practices and vegetation management practices, preserve the health of mountainous lands, forest-covered lands, brush-covered lands, and protect the aesthetic, cultural, and property value of the area, as well as, to disclose to a property owner of a tree removal or trimming. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

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Regular Agenda - Legislative and Other Matters (continued)**Item                      Environmental Quality: Pipelines: Project Applicants****46****(Rev.)**

[11275]

**AB 2564 (Ma)**

This bill would exempt from environmental review pipeline projects of less than eight miles in length instead of the existing one mile. The bill would revise the definition of the term "pipeline" to include valves, flanges, meters, and other equipment directly attached to the pipeline. (Legislative Subcommittee Recommendation: Support).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581182](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581182)

05/04/2012 - This revision was not shown on the Agenda mailed to the public.

**Item                      Net Energy Metering Aggregation****47****(Rev.)**

[11241]

**SB 594 (Wolk)**

This bill would authorize an eligible customer-generator with multiple meters to elect to aggregate the electrical load of the meters located on the property where the generation facility is located and on all property adjacent or contiguous to the property on which the generation facility is located, if those properties are solely owned by the eligible customer-generator. This bill would prohibit an eligible customer-generator that chooses to aggregate from receiving net surplus electricity compensation and require the electric utility to retain kilowatthours. (Legislative Subcommittee Recommendation: Support with technical amendments).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581184](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581184)

Agenda 3292, Item 87 4/19/2012 (Staff)

05/04/2012 - This revision was not shown on the Agenda mailed to the public.

## Regular Agenda - Legislative and Other Matters (continued)

**Item                      Energy Efficiency and Renewable Energy On-Bill Repayment  
48                      Programs**

[11074]

**SB 998 (de León)**

This bill would require the California Public Utilities Commission to require an electrical corporation to develop and implement an on-bill repayment program for eligible energy efficiency and renewable energy investments on terms that the commission determines are just and reasonable. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

Agenda 3290, Item 50 3/8/2012 (Staff);

Agenda 3291, Item 66 3/22/2012 (Staff);

Agenda 3292, Item 88 4/19/2012 (Staff)

**Item                      Energy: Commercial Buildings Financing  
49**

[11243]

**SB 1130 (de León)**

This bill would enact the Commercial Building Energy Retrofit Financing Act of 2012 and would require the California Alternative Energy and Advanced Transportation Financing Authority to establish the Commercial Building Energy Retrofit Financing Program to provide financial assistance, through the issuance of revenue bonds, to owners of eligible buildings for implementing energy efficiency retrofit measures for the buildings. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

Agenda 3292, Item 90 4/19/2012 (Staff)

**Item                      Voice Over Internet Protocol and Internet Protocol Enabled  
50                      Communications Service****(Rev.)**

[11244]

**SB 1161 (Padilla)**

This bill would prohibit the California Public Utilities Commission from regulating Voice over Internet Protocol and Internet Protocol enabled service (IP enabled serviced providers unless expressly provided otherwise in statute). (Legislative Subcommittee Recommendation: None).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581206](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581206)

Agenda 3292, Item 92 4/19/2012 (Simon)

05/04/2012 - This revision was not shown on the Agenda mailed to the public.

## Regular Agenda - Legislative and Other Matters (continued)

**Item California Public Utilities Commission: Intervenor  
51 Compensation**

[11245]

**SB 1165 (Wright)**

This bill would include a school district, county office of education, or community college district in the definition of a customer that may apply for intervenor compensation. (Legislative Subcommittee Recommendation: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=579641](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=579641)

Agenda 3292, Item 93 4/19/2012 (Simon)

**Item California Alternate Rates for Energy Program  
52**

[11276]

**SB 1207 (Fuller)**

This bill would modify the eligibility requirements to include proof of income to participate in the California Alternate Rates for Energy program. Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item Energy: Rates: Net Energy Metering  
53****(Rev.)**

[11277]

**SB 1537 (Kehoe)**

This bill would prohibit an electric utility, on a percentage basis, from increasing rates and charges for eligible customer-generators by an amount that is greater than those applied to customers in the same rate class that are not eligible customer-generators and require that an electric utility's rate design be consistent with the policy of the state to ensure ongoing, sustainable, and robust growth of distributed customer-generation. (Legislative Subcommittee Recommendation: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581185](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581185)

05/04/2012 - This revision was not shown on the Agenda mailed to the public.

**Regular Agenda - Commissioner Reports**

<b>Item</b>	<b>Commissioner Simon's Report on the Low Income Oversight Board</b>
<b>54</b>	
[11227]	

Discussion and Action on Proposed Appointments to the Low Income Oversight Board.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=578892](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=578892)

**Regular Agenda - Management Reports and Resolutions**

**Item**                    **Report and Discussion by Consumer Protection and Safety**  
**55**                    **Division on Recent Safety Program Activities**  
[11260]

**Item**                    **Executive Director Clanon Report**  
**56**  
[11264]

Report on the California LifeLine Program's "Hello, Savings!" Gold ADDY Award for Mixed Media at the Fresno Advertising Federation's 2012 ADDY Awards.



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**Closed Session**

*This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).*

**Closed Session - Applications for Rehearing**

**Item                      Conference with Legal Counsel - Application for Rehearing**  
**57**  
[11261]

Compilation of applications for rehearing recently filed with the Commission.

*Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.*

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**Item                      Conference with Legal Counsel - Application for Rehearing**  
**58**  
[11127]

**A11-12-010**

Disposition of application for rehearing of Resolution SX-100 filed by Neighbors for Smart Rail. In Resolution SX-100, the Commission granted Exposition Metro Line Construction Authority authorization pursuant to Commission General Order 164-D to construct 16 new at-grade and 11 grade-separated highway-light rail transit crossings as part of the Exposition Corridor Light Rail Transit Project – Phase 2, located in the Cities of Los Angeles and Santa Monica.

*Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.*

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Agenda 3291, Item 74 3/22/2012

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Closed Session - Applications for Rehearing (continued)

**Item Conference with Legal Counsel - Application for Rehearing**

**59**

[11195]

**C11-07-003**

Disposition of application for rehearing of Decision (D) 12-02-020 filed by Verlyn Roschewski.

D12-02-020 denied the complaint filed by Verlyn Roschewski against Southern California Edison Company (SCE) that his electric utility bills from SCE since becoming a Direct Access customer of an Electric Service Provider included improper generation-related charges.

*Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.*

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Agenda 3292, Item 101 4/19/2012

**Item Conference with Legal Counsel - Application for Rehearing**

**60**

[11250]

**A07-06-031**

Disposition of application for Rehearing of Decision (D) 09-12-044, filed by The City of Chino Hills, Californians for Renewable Energy, Inc., and the Acton Town Council; Motion to Reconsider the Rejection of the Application for Rehearing of D09-12-044 filed Antelope Valley-East Kern Water Agency; and/or related matters. D09-12-044 granted Southern California Edison Company a Certificate of Public Convenience and Necessity to construct segments 4-11 of the Tehachapi Renewable Transmission Project.

*Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.*

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Agenda 3292, Item 105 4/19/2012

**Item Conference with Legal Counsel - Application for Rehearing**

**61**

[11284]

**C10-08-022**

Disposes of application for rehearing of Decision (D) 11-09-001, filed by the Highway 68 Coalition (Coalition). D11-09-001 involved a complaint filed by the Coalition against California-American Water Company, Monterey Division. The Commission rejected the Coalition's position that Ordering Paragraph No. 9 of D98-09-038 prohibited the shared use of the Ambler Park water treatment plant among customers in the Ambler Park service territory, and thus, denied the complaint.

*Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.*

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## **Closed Session - Initiation of Litigation - Non-Federal**

Consideration of possible Commission initiation of, or intervention in, litigation.

*Gov. Code § 11126(e)(2)(C)(i) and/or § 11126(d)(2), allows this item to be considered in Closed Session.*

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## **Closed Session - Threatened Litigation - Non-Federal**

Significant exposure to litigation

*Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session*

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**Closed Session - Existing Litigation - Non-Federal**

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## **Closed Session - Threatened Litigation - Federal**

Significant exposure to litigation in federal agency or court proceedings.

*Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session*

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## **Closed Session - Initiation of Litigation - Federal**

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

*Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.*

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**Closed Session - Federal**



**Closed Session - FERC Docket No. EL00-95-000, et al.**

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

*Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.*

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## **Closed Session - Personnel Matters**

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

*Gov. Code § 11126(a), allows this item to be considered in Closed Session*